



U.S. Department of Justice

United States Attorney
Southern District of New YorkThe Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 10, 2007

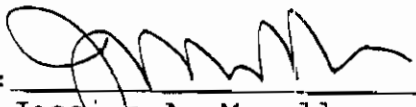
By Facsimile

Honorable Denny Chin
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007**USDC SDNY**
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 9/10/07Re: United States v. Rafael Jimenez and Gilbert Cespedes,
07 Cr. 843 (DC)

Dear Judge Chin:

The Government writes to respectfully request an exclusion of time under the Speedy Trial Act in this matter, from today until September 26, 2007, the date of the initial pretrial conference scheduled by the Court. The grand jury returned the above-referenced indictment against the defendants last week, and, pursuant to the Court's referral, the defendants will appear in Magistrate's Court on September 14, 2007 for an arraignment in this matter. In addition, the Government is in the process of producing discovery, which will be completed by September 24, 2007. Accordingly, an exclusion of time is in the interests of justice, and it outweighs the public's and the defendants' interests in a speedy trial, as it will allow the Government to produce, and the defendants to begin reviewing, discovery. I have spoken with counsel for both defendants, and both consent to the requested exclusion of time. Thank you for your consideration of these matters.

Respectfully submitted,

MICHAEL J. GARCIA
United States AttorneyBy: 
Jessica A. Masella
Assistant United States Attorney
Telephone: (212) 637-2288cc.: Roy Kulscar, Esq. (By Facsimile at 201.439.1478)
Counsel for Gilbert Cespedes
Howard Jacobs, Esq. (By Facsimile at 212.274.0109)
Counsel for Rafael Jimenez